

## COMMONLY ASKED QUESTIONS ABOUT ANNEXATION

### 1. *Why is the City pursuing annexation?*

Historically, annexation has been a very important factor in sustaining the population growth of Texas cities. Although migration to the Sunbelt has been important, many Texas cities would have faced limited growth rates and even lost population had annexation not been pursued. Annexation is an important growth strategy and has been a critical one for Texas cities in the past. Cities have various reasons for initiating annexation. These include:

- ***Annexation to provide areas for future expansion*** - Cities initiate annexation in order to provide areas for future growth and development. This can be especially critical in cities with limited vacant, developable property to accommodate growth within its existing boundaries.
- ***Annexation to manage growth*** - Cities initiate annexation in order to employ growth management strategies. Orderly growth of a city is critical to its long-term viability. A municipality has a responsibility to its residents and taxpayers to manage its physical growth in a sensible, predictable, and fiscally responsible manner. Annexation, which provides the ability to zone property, is an essential part of that process.
- ***Annexation to assert zoning or other regulatory control*** - Annexation brings territory into the full regulatory authority of a city. While the State statutes provide Texas cities with limited regulatory authority within its extraterritorial jurisdiction (ETJ), annexation into a city allows application of full land-use controls and development standards.
- ***Annexation to secure tax base, revenue sources*** - Cities need revenue to provide a regional array of services and facilities. Annexation helps provide revenue such as property tax, sales tax, franchise fees, or utility revenues.
- ***Annexation to protect an area*** - As mentioned above, annexation provides land use control and development standards. These tools can serve as valuable resources to protect an area from unwanted development or to preserve the existing character of an area.
- ***Annexation in response to a perceived threat*** - This typically takes the form of annexation of property that is developing or proposed for development for some land use deemed undesirable, or otherwise a threat, if not annexed and controlled. Often uses such as sexually-oriented businesses, heavy industries or mobile homes are annexed to provide zoning or other regulatory control (as described above, but applied in response to a perceived threat). Another example includes annexation initiated by a city to preclude annexation of the same area by another city.
- ***Annexation in response to an uncertain legislative environment*** - The State has approved several bills in the recent past that make it increasingly difficult for cities to pursue annexation. A recent bill filed by Representative Brown requiring voter consent before a city annexes property is yet another example of such

action. Should this trend continue, it may be in the city's best interest to pursue annexation sooner rather than later.

- ***Annexation to adjust or clarify boundaries*** - Boundary adjustments may be needed to clarify jurisdictions, prevent confusion related to provisions of services, etc.

2. *The City has many ordinances - is it possible to get copies of these?*

Yes. Specific codes and ordinances are available at a nominal cost upon request. Many of our codes and ordinances are also available via the web at [www.cstx.gov](http://www.cstx.gov).

3. *Will being in the city limits affect my property value? Will properties have to be reappraised?*

No, annexation does not affect property value. As improvements are made to properties, there may be a reevaluation and appraisal done at that point. Specific questions about your property may be addressed to the Brazos County Appraisal District at 979.774.4100.

4. *How will annexation affect my taxes?*

A County resident living outside the city pays County and school property taxes. Upon annexation, the city property tax would apply as well. The current City tax rate is 44.75 cents per \$100 valuation, so on a \$100,000 improved lot, the annual taxes would be \$447.50. These taxes help pay for an array of City services such as police protection, fire protection, and building inspections.

5. *Will I be able to continue the use of my property after annexation? Will my property be "grandfathered"?*

It depends. In most cases, any use of a property that is occurring immediately before annexation may continue after annexation. This use is considered to be grandfathered. However, this DOES NOT apply to uses that are defined as nuisances under the law (things that create a health or safety hazard), such as fireworks sales. After annexation, uses that are legally non-conforming (grandfathered) may not expand without permission from the City. A change of ownership does not affect a grandfathered status.

6. *What zoning is placed on my property upon annexation? How does the city rezone property?*

When property is annexed into the City, the A-O (Agricultural Open) zoning classification is placed upon it. After annexation, a property owner may request a rezoning of their property. The rezoning process takes about two months and involves a recommendation from the Planning and Zoning Commission and final action by the City Council. Additional information concerning the rezoning process is available from the Planning & Development Services Department at 979.764.3570.

7. *Is there a legal time limit within which a city is required to provide services to annexed areas?*

Yes, most city services are required to be provided immediately upon annexation. However, State law also requires that a city provide "full municipal services" within 2 ½ years after the effective annexation date. If services cannot reasonably be provided within 2 ½ years, the maximum time allowed by State statute is 4½ years.

8. *How soon after annexation would garbage service be provided?*

The city is required to provide sanitation service immediately upon annexation. However, if a private waste-collection company presently serves an annexed area, that service may continue for a period of two years after annexation. In order to secure solid waste collection services in the remaining areas, each property owner must establish a utility account with the City of College Station. Cost for service is billed on a monthly basis for both residential and commercial customers. For residential customers, the first solid waste container is provided at no additional charge.

9. *When would residents see improvement in roads that are annexed? Are all roads, in or adjacent to an area, annexed or are some left in the County?*

Roads and streets are annexed if they fall within the area to be annexed. With limited exceptions, roads and streets running along the perimeter of an annexation area are not typically annexed. Right-of-Way maintenance priorities are determined on a city-wide basis taking into consideration factors such as street width, volume of traffic, street conditions, and public safety hazards.

10. *Would annexation affect existing easements along public roads?*

No. Easements acquired by the County and/or the State will remain in effect.

11. *Does the City have ordinances that are applied differently based on density (i.e. rural vs. urban)?*

There are some differences in the codes that apply to the more densely-populated areas of the City and those that apply to the more rural residential areas. For example, property zoned A-O (Agricultural Open) is exempt from the city's weeds and grass regulations that require mowing, the ordinance which does not allow parking on the grass, and livestock permitting requirements. However, you would not be allowed to burn trash unless you receive a burn permit from the City of College Station Fire Department.

12. *Would I be able to burn trash after annexation?*

Not without a burn permit from the City of College Station Fire Department. Questions regarding a burn permit should be directed to the College Station Fire Marshal's office at 979.764.3727.

*13. Does annexation affect deed restrictions?*

No, the City typically does not enforce deed restrictions.

*14. Would annexation affect common area ownership? Would private areas remain private after annexation?*

Yes, private roads, lakes, or areas designated as HOA common area would remain private after annexation.

*15. How will annexation affect my use of firearms?*

Generally, it is unlawful to discharge a firearm within the city limits. There are some exceptions depending on the size of the property and the use and type of firearm. It is always best to contact the City of College Station Police Department at 979.764.3600 to seek clarification on the issue of shooting firearms within the City limits.

*16. Will I be able to continue to keep my animals and livestock that I presently have?*

Yes. Any use of your property for grazing livestock can continue. The A-O zoning district allows for barns and stables and for keeping private animal stock as well as land for pasturage.

*17. The City has leash laws. How will annexation affect my pets?*

City codes require that animals not be allowed to roam at large upon the premises of others or on the streets. This provision would apply upon annexation.

*18. Does the City have a comprehensive plan? Does it address annexation?*

Yes, annexation is addressed in Chapter eight, "Growth Management and Capacity", of the Comprehensive Plan. The Comprehensive Plan is available on the city's website at [www.cstx.gov](http://www.cstx.gov).